



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, सोमवार, 11 दिसम्बर, 2006/20 अग्रहायण, 1928

हिमाचल प्रदेश सरकार

TRANSPORT DEPARTMENT

NOTIFICATION

Shimla-2, the 10th October, 2006

No. Tpt.F (5) 2/2002.—Whereas a reciprocal Transport Agreement between the State of Himachal Pradesh and Rajsthan had been entered of 9th December, 2005 under sub-section 5 of Section 88 of the Motor Vehicles Act, 1988 (No. 59 of 1988) for plying stage carriage services and providing other transport services into the territory of each other's State.

2. Accordingly, as per requirement of sub-section (5) of Section 88 of the Motor Vehicles Act, 1988, notice was issued to invite objections/suggestions from interested/affected persons/parties through notification of even No. dated 20-12-2005, within 30 days from the date of

publication of the notice in the Official Gazette of Himachal Pradesh which was published in the Official Gazette (Extra-ordinary), Himachal Pradesh on 9-1-2006.

3. Objections/Suggestions as received have been considered.

4. Now therefore, in exercise of the powers conferred by sub-section (6) of Section 88 of the Motor Vehicles Act, 1988, the Governor, Himachal Pradesh is pleased to publish the Reciprocal Transport Agreement between the States of Rajasthan and Himachal Pradesh (as annexed) in the Official Gazette of Himachal Pradesh with the directions to State Transport Authority and Regional Transport Authorities in Himachal Pradesh to give effect to the provisions of the said Agreement.

By order,

Sd/-
Principal Secretary.

INTER-STATE AGREEMENT BETWEEN HIMACHAL PRADESH AND RAJASTHAN

This agreement made on 9th December, 2005 between the Governor of Himachal Pradesh (hereinafter referred to as the Government of Himachal Pradesh which expression shall include his successor in office) of the one part and the Governor of Rajasthan (hereinafter referred to as the Government of Rajasthan which expression shall include its successor in office) of the second part.

WHEREAS, in view of the rapid economic development of the country, it is expedient to encourage long distance Inter-State movement of passengers and goods between the States of Himachal Pradesh and Rajasthan and to regulate, co-ordinate and control their operation. It is therefore necessary to make a reciprocal agreement between the two States.

AND WHEREAS the parties hereto desire that in suppression of all the previous agreements made between them, an agreement on the terms and conditions set out hereinafter may be made.

NOW THIS DEED WITNESSES and the parties hereby mutually agree as follows:--

1. This agreement shall come into force from the date of its final publication in the official Gazette.

2. GOODS CARRIAGE PERMITS :

(i) **Goods Carriage (Non-Temporary Permits).**—The permits for Goods Carriage vehicles shall be countersigned by the Transport Authorities of each state without restriction on their number belonging to each states, on the recommendation of State/Regional Transport Authorities concerned on single point tax basis. However, the permits countersigned prior to this agreement shall be valid till their validity.

(ii) **Goods Carriage (Temporary Permits).**—Temporary permits valid for a period not exceeding thirty days may be issued under section 88 (8) of the Motor Vehicles Act of the Transport Authority of one State without prior concurrence of the Transport Authority of the other State and without restriction on their number.

The vehicles covered by the above permits will not pickup and set down goods between any two points within the territory of the other State. There will be no restriction on the number of the trips that may be performed by the vehicles during the currency of the permit.

3. CONTRACT CARRIAGE PERMITS :

(i) **Motor Cab Tourism Taxi Permits.**—No contract carriage permits for the motor cab tourist taxi will be countersigned by either States. However, permits countersigned prior to this agreement shall be valid till their validity.

(ii) **Special Permits for Contract Carriage Vehicles [under Section 88 (8)].**—These permits may be issued by the Transport authority of one State without prior concurrence of the Transport Authority of the other State, accordingly to the need of the tourists. The permits shall contain the detailed Programme of the tour, showing the dates of onward and return journeys, the order in which the various places shall be visited alongwith and the indication of the appropriate date of the arrival and the departure from each such place. The permit shall also contain list of passengers travelling in the vehicle.

4. STAGE CARRIAGE PERMITS :

(i) Reciprocal agreements with regard to operation of Stage Carriage on Inter-State routes between Himachal Pradesh and Rajasthan shall be as per Annexures "A & B".

(ii) The number of trips allocated for each State on each Inter-State route shall be fixed as far as possible according to the length of route shall falling in each State. A trip for the purpose of this agreement will mean single trip daily. The routes mentioned in Annexure "A & B" shall always mean the shortest direct route connecting the two terminals lying in the two States through the places mentioned therein. Any discrepancy discovered later in the name or length of route shown in the said Annexure shall promptly be corrected through correspondence between the reciprocating States and shall not be treated as any modification of the agreement.

(iii) The time-table for Stage Carriage of State Undertakings shall be fixed by the Transport Authority in consultations with the concerned State Transport Undertakings.

(iv) Passenger fare shall be charged accordingly to the rates fixed by the respective States for the portion lying in the State.

(v) The stage carriage permits of both the States falling under reciprocal agreement shall be countersigned on the single point taxation basis that means every such permit holder will have to pay only Special Road Tax/Passenger Tax etc.

(vi) If for any reason, it has not been possible to decide an application for the renewal of the permit before its expiry, the home State may issue temporary permits under section 87 (1) (d) of the Motor Vehicles Act, 1988 for a period upto four months under intimation to the reciprocating State and such temporary permits, subject to proviso set out below, shall require countersignature of the reciprocating State, and the motor vehicle will be authorized to ply on single point tax basis:

Provided that the application for renewal of countersignature has been submitted to the reciprocating State within time allowed for submission of renewal application under section 81 (2) of the Motor Vehicles Act, 1988.

(vii) Both the State Transport Undertakings can operate any route by any vehicle out of its fleet. No private bus shall be allowed to operate on Inter-State route as a Stage Carriage.

(viii) The respective State Transport Undertakings may add new services of Stage Carriage on notified routes or increase the numbers of trips on any existing route keeping in view the over-all public demand by mutual agreement in writing with the approval of both State Governments.

(ix) All the previous stage carriage permits, which are countersigned by either State, before coming in force of this agreement shall remain in force.

5. GENERAL PROVISIONS FOR TEMPORARY PERMITS :

(i) Separate list of different types of temporary permits (Goods Carriage/Contract Carriage) issued in each month shall be submitted to the Transport Commissioners of each State by the other State.

(ii) The Transport Authority of each State granting such permit shall direct the owner/driver to pay taxes at the Tax Collection Centres/Check Posts at border before entering into the State.

(iii) All Temporary Permits, if countersigned or allowed, shall, be on double point taxation that means every such permit holder will have to pay both Special Road Tax/Passenger Tax/Goods Tax and Motor Vehicle Tax/Road Tax alongwith the countersignature fee of the concerned State.

6. TAXATION :

The taxes of reciprocating States in respect of different types of vehicles operating on various classes of permits will be payable as per provisions of the Taxation Act and Rules of the respective States.

7. COUNTERSIGNATURE :

The countersignature shall be granted by the State Transport Authority or Regional Transport Authority of any State as the case may be, on the recommendation made by the Transport Authority of the other State.

8. GENERAL :

The reciprocating State shall accord recognition of the tax tokens, drivers and conductor's license, transport vehicle authorization and certificate of fitness issued under the relevant rules of each of the two States in respect of vehicles operating on Inter-State Routes, in accordance with this agreement.

(i) This agreement shall be valid till such time as a new agreement is arrived at between the two States. This agreement can, however, be rescinded by either State after issue of three months notice. This agreement will be open to revision every year or at the instance of the Transport Authority of either State.

IN WITNESS THEREOF the parties hereto have signed this agreement on 9th day and year first above written.

Sd/-

(AVAY SHUKLA)

Principal Secretary (Transport) to the Government of Himachal Pradesh, Shimla-171 002.

For and on behalf of Governor of Himachal Pradesh

WITNESS:

Sd/-

1. (DILJEET SINGH)

M. D., H. R. T. C.

Sd/-

2. (LALIT S. THAKUR)

*Under Secretary (Transport)
Government of Himachal Pradesh.*

Sd/-

(DR. ASHOK SINGHVI)

Transport Commissioner-cum-Secretary (Transport) Government of Rajasthan.

For and on behalf of Governor of Rajasthan

WITNESS:

Sd/-

1. (PRITAM SINGH)

M. D., R. S. R. T. C.

Sd/-

2. (H. P. MISHRA)

*Dy. Transport Commissioner,
Government of Rajasthan.*

ANNEXURE-'A'

Routes to be operated by HRTC in Rajasthan

Sl. No.	Name of Service	No. of trips	Kms.	Remarks
1.	Nurpur-Gharsana Mandi <i>via</i> Pathankot	1 RT	320	
2.	Marali-Jaipur	1 RT	334	
3.	Shimla-Jaipur	1 RT	334	
4.	Dharamshala-Anoopgarh <i>via</i> Hoshiarpur	1 RT	292	
Total ..			1280	

ANNEXURE-'B'

Routes to be operated by RSRTC in Himachal Pradesh

Sl. No.	Name of Service	No. of trips	Kms.	Remarks
1.	Hanumangarh-Shimla <i>via</i> Dabwali-Bhatinda-Patizla.	(1 RT)	196	
2.	Hanumangarh-Chintpurni	(1 RT)	58	
3.	Anoopgarh-Pathankot	(1 RT)	26	
4.	Jaipur-Shimla <i>via</i> Delhi-Chandigarh	(1 RT)	180	
5.	Jaipur-Manali <i>via</i> Delhi-Chandigarh	(1 RT)	590	
6.	Jaipur-Dalhousie <i>via</i> Ambala-Jalandhar-Pathankot.	(1 RT)	90	
Total ..			1050	

नियन्त्रक, मुद्रण तथा लेखन सामग्री, हिमाचल प्रदेश, शिमला-5 द्वारा मुद्रित तथा प्रकाशित